IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 823 of 2007

In

Notice of Motion No.42 of 2007

Mrs.Farida Begam Riyad Ahmed Ansari .. Appellant

V/s

M/s Gundecha Group of Companies ... Respondents

Shri M.P.Mishra for Appellant

Shri Deepak Chitnis for Respondent

CORAM:S.R.SATHE,J.

DATED;23rd Oct. 2007

P.C.:-

1. Heard both the learned Advocates.

2. As ad-interim relief is refused, the original plaintiff has filed the present appeal. Admittedly trial Court has fixed Notice of Motion on 24-10-2007.

3. Under the circumstances instead of going into the merits of the case at this stage, the parties are directed to appear before the trial Court tomorrow and trial court is directed to dispose of Notice of Motion

according to law after giving due opportunity to both the parties.

4. The learned Advocate for the Respondent has made a statement that the structure in question is already demolished by the Corporation and in view of the same there is no necessity to pass any further reliefs in the matter.

5. A.O. disposed of accordingly.

6. Parties to act on authenticated copy of this order.

(S.R.SATHE,J.)